

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

DECISION AND ORDER

Plaintiff,

22-CR-6171L

v.

JOSE JUAN RODRIGUEZ-QUINONES,

Defendants.

Defendant moves, *pro se*, (Dkt #29) for transcripts of the plea hearing and sentencing hearing. The motion is DENIED. Defendant was represented by counsel and pleaded guilty on November 17, 2022 (Dkt. #19) pursuant to a Plea Agreement involving a firearms offense and a narcotics offense. The defendant had three prior felony convictions and therefore was determined to be a career offender. His Guideline range was 151-180 months and the Court sentenced him by Judgment filed February 2, 2023, to 151 months, the low end of the Guideline range. The plea was favorable to the defendant because the Government did not charge him with a violation of 18 U.S.C. § 924(c) which would have subjected him to an additional 60-month sentence consecutive to any other sentence.

The Plea Agreement provided that the defendant waive any right to appeal or collaterally attack the judgment as long as the sentence was within the Guideline range. No appeal, therefore, has been filed.

Defendant was represented by retained counsel and at the moment there is no matter pending in the district court and therefore there is no basis to provide free transcripts for the plea and sentencing hearings.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
April 12, 2023.